

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. JAMES E. RISCH,  
*Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 21-0A. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 17-20 of March 7, 2018.

Sincerely,

HEIDI H. GRANT,  
*Director.*

Enclosures.

TRANSMITTAL NO. 21-0A

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(C), AECA)

(i) Purchaser: Government of the United Arab Emirates.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 17-20.

Date: March 7, 2018.

Military Department: Navy.

(iii) Description: On March 7, 2018, Congress was notified by Congressional certification transmittal number 17-20 of the possible sale under Section 36(b)(1) of the Arms Export Control Act of three hundred (300) AIM-9X-2 Sidewinder Block II All-Up-Round Missiles; forty (40) AIM-9X-2 Sidewinder Captive Air Training Missiles (CATMs); thirty (30) AIM-9X-2 Block II Tactical Guidance Units; fifteen (15) AIM-9X-2 CATM Units; containers; spares; support equipment and missile support; U.S. Government and contractor technical assistance and other related logistics support; and other associated support equipment and services. The estimated cost was \$270.4 million. Major Defense Equipment (MDE) constituted \$240 million of this total.

This transmittal reports the addition of five hundred (500) Sidewinder AIM 9X Block II+ (Plus) Tactical Missiles; forty (40) Sidewinder AIM 9X Block II Captive Air Training Missiles (CATMs); three (3) Sidewinder AIM 9X Block II Special Air Training Missiles (NATMS); fifty (50) Sidewinder AIM 9X Block II+ (Plus) Tactical Guidance Units; twenty-five (25) Sidewinder AIM 9X Block II CATM Guidance Units; containers; spares; support equipment and missile support; U.S. Government and contractor technical assistance and other related logistics support; and other associated support equipment and services with a value of \$490 million. The total notified cost of MDE will increase to \$730 million, and the total notified case value will increase to \$840.5 million.

(iv) Significance: This notification is being provided to report the inclusion of MDE items not previously notified. This potential sale will improve the UAE's capability to meet current and future threats and provide greater security for its critical infrastructure. The addition of the Sidewinder AIM 9X Block II+ (Plus) Tactical Missiles represents an increase in capability over what was previously notified. The UAE will use the enhanced capability to strengthen its homeland defense.

(v) Justification: This proposed sale of the Sidewinder AIM 9X Block II+ (Plus) Tactical Missile will support the foreign policy and national security of the United States by helping to improve the security of an important regional partner. The UAE has been, and continues to be, a vital U.S. partner for political stability and economic progress in the Middle East.

(vi) Sensitivity of Technology: The Sidewinder AIM 9X Block II+ (Plus) Tactical Mis-

sile represents a substantial increase in missile acquisition and kinematics performance over the AIM-9M and replaces the AIM 9X Block I Missile configuration. The missile includes a high off-boresight seeker, enhanced countermeasure rejection capability, low drag/high angle of attack airframe and the ability to integrate the Helmet Mounted Cueing System. The software algorithms are the most sensitive portions of the Sidewinder AIM 9X Block II+ (Plus) Tactical Missile. The software continues to be modified via a Pre-Planned Product Improvement (P3I) program in order to improve its counter-countermeasure capabilities. No software source code or algorithms will be released. The highest level of classification of information included in this potential sale is SECRET.

(vii) Date Report Delivered to Congress: November 9, 2020.

#### CONFIRMATION OF AMY CONEY BARRETT

Mr. BURR. Madam President, last month the Senate confirmed the newest Justice to the Supreme Court, Amy Coney Barrett. As members of this body, one of our great privileges and weightiest responsibilities is to fulfill the role of "advice and consent" provided in the Constitution to examine and, if merited, confirm the President's nominees. In the case of the Federal judiciary, not only will these nominees out serve many of us in the Senate, their rulings will shape the fabric of our Nation the way that affects generations.

It is with a great understanding of this that I consider judicial nominees and also why I am proud to have been able to vote in support of Justice Barrett's confirmation. Much has been said about her legal abilities and credentials and how she has consistently distinguished herself as a student, a law clerk and practitioner, academic, and judge on the Seventh Circuit Court of Appeals. Yet two characteristics beyond her stellar resume enabled me to decisively cast my vote for her to serve on the Supreme Court of the United States: her respect for the Constitution and her character.

Throughout her career, Justice Barrett has shown she will uphold the Constitution and that she understand the checks and balances that are a part of our democracy. She has stated multiple times that "It is never appropriate for a judge to impose that judge's personal convictions," and her writing and her statements and her opinions for the Seventh Circuit demonstrate her respect for the rule of law; for the responsibilities of the legislative, executive, and judicial branches; and for interpreting the law in accordance with the "the meaning it had at the time people ratified it." This understanding is crucial for judges to ensure that the legislature has its proper role, that the Constitution is followed as written and amended when changes are necessary, and that our system has the proper checks and balances.

With regards to her character, Judge Barrett's career and life demonstrate

the kind of person she is. She has received public awards, including the Notre Dame Law School's Distinguished Teaching Award three times, being selected by graduating law students as a professor "who exhibits excellence in leadership, friendship, legal knowledge, legal teaching, and professional ability." She has received the accolade of her fellow clerks on the Supreme Court, including the clerks of the late Justice Ginsburg, who called her "smart, honorable, and fair-minded." She was lauded by fellow professors at Notre Dame as someone who has "in abundance all of the other qualities that shape extraordinary jurists: discipline, intellect, wisdom, impeccable temperament, and above all, fundamental decency and humanity." It goes without saying that these are the qualities of an individual who we want serving on the highest court of our land.

For a lifetime appointment to the Supreme Court, an individual must be the entire package. I am confident that Justice Barrett's credentials, judicial philosophy, and character will serve our Nation well for decades to come, and I am honored to have supported her nomination.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING ANNA MARIA OYSTER BAR

• Mr. RUBIO. Madam President, as chairman of the Senate Committee on Small Business and Entrepreneurship, each week I recognize a small business that exemplifies the American entrepreneurial spirit at the heart of our country. It is an honor to recognize a family-owned small business known for its industry leadership and local philanthropy. Today, it is my pleasure to name Anna Maria Oyster Bar of Bradenton, FL, as the Senate Small Business of the Week.

As a student at Clemson University, John Horne spent his summers working at a restaurant on the Florida shore. Drawn to the hospitality industry, John chose to pursue a business degree and establish his own restaurant. After earning his degree, he worked in several hospitality roles, gaining both managerial and front-line experience. John achieved his goal in 1997, opening the original Anna Maria Oyster Bar—AMOB—on the Anna Maria City Pier. Its family-oriented atmosphere and delicious food proved a hit, leading to a second location in 2002.

Twenty years later, Anna Maria Oyster Bar has expanded to four locations in the Bradenton area and has become a local favorite. The business remains family-owned, with John's wife, Amanda, directing marketing and community involvement. Their strong sense of family has built a tight-knit and supportive team that still includes some of their first employees.

John is a champion of Manatee County's hospitality industry, a strong advocate of his trade and his work on philanthropic projects. AMOB has been recognized as Small Business of the Year by the Manatee, Sarasota, and Longboat Key Chambers of Commerce. John was also named the 2018 Anna Maria Island Rotary Club Small Businessperson of the Year. AMOB also received the Champion of Tourism Award from the Bradenton Area Convention & Visitors Bureau and the 2020 Travelers' Choice Best of the Best Award from TripAdvisor.

In 2017, John and Amanda founded Dive Into Reading, a summer reading and mentorship program. Collaborating with local elementary schools, AMOB has provided more than 500 underprivileged schoolchildren free meals, one-one-mentorship, and free books. For its impact, Dive Into Reading earned the National Restaurant Educational Foundation 2018 Restaurant Neighbor Award and the 2019 Leadership Florida Impact Award.

Like many Florida small businesses, Anna Maria Oyster Bar temporarily closed its doors due to the coronavirus pandemic. In April 2020, the U.S. Small Business Administration launched the Paycheck Protection Program, a small business relief program that I was proud to author. The PPP provides forgivable loans to impacted small businesses and nonprofits who maintain their payroll during the COVID-19 pandemic. John and Amanda used their PPP loan to keep their more than 320 employees on the payroll until their restaurants reopened in May.

Anna Maria Oyster Bar is a notable example of the critical role of relationship-driven small businesses in building community. Through their philanthropy and industry leadership, AMOB has provided dignified work and invested in the next generation. Congratulations to John, Amanda, and the entire team at Anna Maria Oyster Bar. I look forward to watching your continued growth and leadership.●

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5778. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural Energy Saving Program (RESP)" (RIN0572-AC45) received during adjournment of the Senate in the Office of the President of the Senate on October 26, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5779. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Business and Industry Guaranteed Loanmaking and Servicing Regulations CARES Act Program" (RIN0572-AC45) received during adjournment of the Senate in the Office of the President of the

Senate on October 26, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5780. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Special Authority to Enable Funding of Broadband and Smart Utility Facilities Across Select Rural Development Programs" (RIN0572-AC50) received during adjournment of the Senate in the Office of the President of the Senate on October 26, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5781. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's annual report for calendar year 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5782. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Biorefinery, Renewable Chemical, and Biobased Product Manufacturing Assistance Program" (RIN0572-AC50) received during adjournment of the Senate in the Office of the President of the Senate on October 26, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5783. A communication from the Deputy Administrator for Policy Support, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Commodity Supplemental Food Program: Implementation of the Agriculture Improvement Act of 2018" (RIN0584-AE66) received in the Office of the President of the Senate on November 9, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5784. A communication from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Egg Products Inspection Regulations" (RIN0583-AC58) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5785. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Stephen W. Wilson, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-5786. A communication from the Secretary of the Navy, transmitting, pursuant to law, a report on the mobilizations of selected reserve units, received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Armed Services.

EC-5787. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Treatment of Certain Emergency Facilities in the Regulatory Capital Rule and Liquidity Coverage Ratio Rule" (RIN1557-AE89) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5788. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Real Estate Appraisals" (RIN1557-AE86) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5789. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Customer Margin Rules Relating to Security Futures" (RIN3235-AM55) received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5790. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rule - Applicability of Annual Independent Audits and Reporting Requirements for Fiscal Years Ending in 2021" (RIN3064-AF63) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5791. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ghana; to the Committee on Banking, Housing, and Urban Affairs.

EC-5792. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ghana; to the Committee on Banking, Housing, and Urban Affairs.

EC-5793. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulatory Capital Rule: Revised Transition of the Current Expected Credit Losses Methodology for Allowances" (RIN1557-AE82) received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5794. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulatory Capital Rule: Temporary Changes to and Transition for the Community Bank Leverage Ratio Framework" (RIN1557-AE89) received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5795. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulatory Capital Rule and Total Loss-Absorbing Capacity Rule: Eligible Retained Income" (RIN1557-AE81) received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5796. A communication from the Director of the Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Qualified Mortgage Definition under the Truth in Lending Act (Regulation Z): Extension of Sunset Date" (RIN3170-AA98) received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5797. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Qualifications of Accountants" (RIN3235-AM63) received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2020; to the Committee on Banking, Housing, and Urban Affairs.